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SUBJECT: AZERBAIJAN: EU, US, HUMAN RIGHTS ACTIVISTS
DISCUSS MEDIA FREEDOM AND HUMAN RIGHTS ISSUES

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1B. BAKU 00922

Classified By: Ambassador Anne E. Derse for reasons 1.4 (b, d).

11. (C) Summary: At a July 20 dinner hosted by the Ambassador, local Azerbaijani human rights activists, EU senior officials Peter Semneby and Riina Kionka, and local diplomatic representatives discussed media freedom and other human rights issues in Azerbaijan. While seven prominent journalists currently are in prison, several civil society participants remarked that this is just the tip of the iceberg in terms of the GOAJ's pressure against the media. Most commentators agreed that the Azerbaijani judiciary routinely exacerbates the media problem through corruption and ruling against journalists. Other activists highlighted that most Azerbaijanis get their news from Azerbaijani TV, which is "terribly uninteresting" and largely controlled by the GOAJ. Many participants noted that they are buoyed by the West's efforts to push the GOAJ to embrace difficult political and economic reforms. End Summary.

12. (U) On July 20, the Ambassador hosted a dinner for visiting EU officials, Peter Semneby, EU Special Representative for the South Caucasus, and Riina Kionka, Personal Representative on Human Rights to EU Foreign Policy Chief Javier Solana. Other diplomatic participants included: Alan Waddams (EU Commission Special Envoy to Azerbaijan), Gael Guichard-Scherbina (Political Advisor to Semneby), Jean-Yves Berthault (French Charge d'Affaires), Norwegian Ambassador John Ramberg, and the Ambassador. (NOTE: France is representing the rotating EU presidency on behalf of Portugal.) Local human rights activists included: Arzu Abdullayeva (Chairwoman of the Azerbaijan National Council of the Helsinki Citizens Assembly), Elchin Behbudov (Azerbaijan Committee Against Torture), Saida Gojamanly (Bureau for Human Rights and Respect for Law), Sahib Mammadov (Director of the Citizens Rights Protection League), Murad Sadaddinov (Azerbaijan Foundation of Democracy Development and Human Rights Protection), Chingiz Ganizada (Chairman of the Society of Democracy and Human Rights), Emin Huseynov (Institute for Reporters Freedom and Safety), Rashid Hajili (lawyer with the Media Rights Institute), and Saadat Benanyarli (Chairwoman of the Azerbaijan National Group of the International Society for Human Rights).

13. (C) In Semneby's opening comments, he said media freedom was a special focus of his visit to Azerbaijan. Additionally, the 2008 presidential election, freedom of assembly, the rule of law, and Azerbaijan's democratic commitments contained in its EU Action Plan were also

important aspects of his visit. Kionka underscored the importance of media freedom for this, her first visit to Azerbaijan, noting that all the key institutions of the EU were part of the delegation. Kionka noted that the trend of pressure against media in Azerbaijan -- including the detention of and violence against journalists -- was disturbing. The EU seeks to encourage the GOAJ to fulfill its democratic commitments contained in its EU Action Plan and as a Council of Europe member, according to Kionka, indicating that the delegation told their GOAJ interlocutors that tolerating a genuinely independent, critical media would be interpreted by the EU as a sign of President Aliyev's strength and confidence. Kionka commented that she was not optimistic about the short-term prospects for increased media freedom, but she was more optimistic about the medium to long-term prospects.

¶ 14. (C) Gojamanly said free media is an endangered institution and that the GOAJ has embarked on a well-organized plan against the media in advance of the presidential election. A decision by President Aliyev to pardon journalists who were unjustly imprisoned would, however, demonstrate his commitment to democracy, as well as Azerbaijan's aspiration to move closer toward Europe. Gojamanly underscored the close link between media freedom, freedom of assembly, and the political process surrounding the presidential election. Gojamanly also argued that corruption within the judiciary is a key problem undermining democratic reform in many other areas; many other commentators made this same point throughout the evening.

¶ 15. (C) Ganizde said many Azerbaijanis look with great hope and expectation to the West to force the GOAJ to move toward a more democratic system. Ganizade specified that he personally was hopeful that the EU Action Plan would prove to

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be a valuable tool for accelerating this process. Ganizade then emphasized that the West needs to pressure the GOAJ to utilize its oil wealth for the benefit of the population and that the failure of democracy in Azerbaijan risks the rising influence of Islamic fundamentalism.

¶ 16. (C) Hajili stated that the detention of seven prominent journalists is just the "tip of the iceberg," and that many TV and radio personalities have also been jailed. Hajili noted that TV is almost entirely under the government's control; this is particularly important because over 90 percent of the population look to TV as their primary source of information, with only 3-4 percent reading newspapers on a regular basis. Hajili concurred with Gojamanly's observation that the lack of reforms within the judiciary has a large negative impact on other reform processes. Hajili identified the following items as critical for enhancing media freedom: increased training for judges, opening up of the TV licensing process, privatization of state TV, and passing a law to stop personal defamation cases.

¶ 17. (C) Saddadinov suggested that barring defamation cases against journalists and imposing other limits on criminal cases that can be brought against journalists are integral to protecting media freedom. Saddadinov concurred with other commentators' observations that deficiencies in the juridical system undermined the development of media freedom. He also made the point that the European Court for Human Rights was (ECHR) the only mechanism for the EU to push the GOAJ on media freedom and juridical problems. While the ECHR is a vital mechanism, Saddadinov advised that the EU should seek to speed up the court's deliberations on key media freedom cases.

¶ 18. (C) Behbudov argued that the GOAJ was using psychological "torture" tactics against journalists, and that five to six Azerbaijanis die annually because of torture. Behbudov reiterated previous comments on the importance of judicial reforms.

¶9. (C) Mammadov argued that democratic progress reached its peak in 1998, when censorship and the death penalty were abolished alongside the establishment of the freedom of assembly. Mammadov was downbeat on democratic developments since this time, remarking that in several years, such a dinner might not be possible because all of the activists could be imprisoned or afraid to meet with western diplomats.

Mammadov focused on the importance of property rights, noting that only individuals with links to the GOAJ can pursue their business interests. Others have little to no property rights in practice.

¶10. (C) Huseynov reiterated that the detention of seven prominent journalists only represented the "tip of the iceberg" concerning Azerbaijan's media freedom problems. Reiterating Hajili's comments on TV, Huseynov said 95 percent of the population rely on TV for their news. Azerbaijani TV is "terribly uninteresting" for most viewers, however, with Hajili observing that local television is turning the general public into "zombies." Even the quality of ANS TV is down and a Presidential Administration representative is posted at the station's office.

¶11. (C) Abdullayeva noted that there is a new hope among civil society activists after the recent Track II diplomatic mission of the Azerbaijani and Armenian Ambassadors to Nagorno-Karabakh (ref B). Abdullayeva stressed the importance of civil society representatives working alongside the GOAJ to bring a solution to the NK conflict. On Azerbaijan's media environment, Abdullayeva said conditions are "shameful" for Azerbaijan's intellectuals; she noted her ongoing efforts to create a "democracy council" composed of Azerbaijani activists to focus on this problem.

¶12. (C) Western embassy representatives provided several closing comments. Noting her recent visit to the Council of Europe (CoE), the Ambassador said Azerbaijan's CoE commitments are helpful in laying down clear benchmarks and an agenda for GOAJ action on political reform. It is important for the U.S. and Europe and other international partners to work together in pressing the GOAJ to meet its commitments. Finally, economic freedom is a necessary precondition for democratic reforms to take root in Azerbaijan. Accordingly, the U.S. is working to bolster Azerbaijan's accession to the WTO, which could prove to be a powerful tool in opening up the economy and destroying

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monopolies. Semneby thanked the participants for their comments, underlining how civil society representatives are an agent of dynamism. The French Charge said France, as the EU Presidency representative for the next 18 months, would propose to its EU colleagues that the EU begin regular dialogue in Baku with human rights and civil society activists.

¶13. (C) Ramberg remarked that western embassies in Baku regularly exchange information on the human rights situation in Azerbaijan, are in agreement about the need to push the GOAJ to take needed reforms, and coordinate joint action.

¶14. (C) Comment: Recent public statements by the Ambassador and PAO about media freedom were reinforced by this visit of senior EU officials (ref b). This dinner reaffirmed our joint willingness to work with civil society, and we look forward to future meetings of Abdullayeva's proposed democracy council. We believe that joint U.S.-EU actions and statements in this area are crucial for reform to move forward.

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